

REMARKS

The Official Action of January 14, 2005, and the prior art cited and relied upon therein have been carefully studied. The claims in the application are now claims 1-10, and these claims define patentable subject matter warranting their allowance. Favorable reconsideration and such allowance are respectfully urged.

Claim 7 has been canceled. Claims 1-6 and 8 remain in the application for consideration. Applicant thanks the Examiner for his indication that claims 9 and 10 are allowable over the cited prior art.

In response to the Examiner's objection to the specification and claims, Applicant has amended both to eliminate each of the problems identified by the Examiner. Applicant respectfully submits that these objections have now been overcome.

The Examiner has further rejected claims 1-8 under 35 U.S.C. §102(b) as being anticipated by Wu. Applicant respectfully traverses this rejection especially as applied to the amended claims.

In the claimed invention, the patterned transparent layer 40 set out in claim 1 is indicated to be formed by at

least one metal selected from a group consisting of Ni, Au, Cr, Ir, Pt, Ag, Ru and Be. In comparison, transparent contact 15 of Wu, which the Examiner states to be equivalent to transparent layer 40, is formed from either Nickel oxide/Au, MgO, ZnO or V₂O₅ (see column 4, lines 1-3 of Wu). Accordingly, Applicant respectfully submits that the patterned transparent layer 40 of the claimed invention is entirely different from transparent contact 15 of Wu and therefore the result produced by transparent layer 40 in combination with the other claimed features is unique in comparison to that of the light emitting diode of Wu.

Applicant further notes that the light transmission conductive layer 50 as specifically claimed in claim 8 is different from the passivation layer 19 of Wu, as the claimed oxide layer is made from any one of an entirely different group of oxides than that of Wu. Accordingly, the claimed diode which involves a different oxide from that of Wu functions in a different manner than that of Wu.

The prior art documents made of record and not relied upon have been noted along with the implication that such documents are deemed by the PTO to be insufficiently pertinent to warrant their applications against any of applicant's claims.

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Reply to Office Action dated Jan. 14, 2005

Favorable reconsideration and allowance are
earnestly solicited.

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By 
Norman J. Latker
Registration No. 19,963

NJL:ma
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
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